



M.O.E. Policy Manual

POLICY TITLE GUIDELINES FOR COMMENTING ON LAND USE PLANNING MATTERS		NO 07-02-01				
<u>Legislative Authority</u> the Environmental Protection Act the Environmental Assessment Act the Planning Act the Ontario Water Resources Act						
<u>Statement of Principles</u> This policy is designed to guide Ministry staff in commenting on land use planning matters. Ministry staff regularly review and comment on Official Plans, Official Plan Amendments, Plans of Subdivision, Zoning By-Laws and Consents. Staff also advise on land use-related plans and activities of other Ministries and the private sector. <table border="0"><tr><td style="vertical-align: top; width: 150px;">1. <u>Scope of Comments</u></td><td>Staff should comment on those matters which are related to the Ministry's mandate. Normally staff should refrain from commenting on matters which are outside the Ministry's mandate. If it is considered advisable to comment on a matter outside of the Ministry's mandate, then these comments should be clearly separated from those on matters within the Ministry's mandate and the reason for commenting should be given.</td></tr><tr><td style="vertical-align: top;">2. <u>Exclusion for</u> <u>Environmental Assessment</u> <u>Act</u></td><td>These guidelines do not apply to the review of submissions made under the Environmental Assessment Act.</td></tr></table>			1. <u>Scope of Comments</u>	Staff should comment on those matters which are related to the Ministry's mandate. Normally staff should refrain from commenting on matters which are outside the Ministry's mandate. If it is considered advisable to comment on a matter outside of the Ministry's mandate, then these comments should be clearly separated from those on matters within the Ministry's mandate and the reason for commenting should be given.	2. <u>Exclusion for</u> <u>Environmental Assessment</u> <u>Act</u>	These guidelines do not apply to the review of submissions made under the Environmental Assessment Act.
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<u>Point of Contact</u> Director, Approvals Branch						
<u>Effective Date</u> October 21, 1981						

3. Subjects Appropriate for
MOE Comments

The following subjects derived from the Environmental Protection Act, the Ontario Water Resources Act, the Environmental Assessment Act and the Planning Act are appropriate for MOE comments:

- (a) sewage treatment and water supply including under-utilization of existing systems;
- (b) quality and quantity of water in lakes, rivers, streams, aquifers;
- (c) urban drainage management;
- (d) waste management;
- (e) soil contamination;
- (f) air quality, air pollution, air management; including plume interception;
- (g) noise and vibration;
- (h) incompatible or conflicting land uses e.g., land use around sewage treatment plants and/or industrial sites;
- (i) Agricultural Code of Practice;
- (j) interministerial and intergovernmental agreements on certain policy matters, e.g., Canada-Ontario Water Quality Agreement, Trans-Boundary Air Quality (Windsor-Sarnia);
- (k) the Environmental Assessment Act as related to matters described in a land use plan;
- (l) compliance with any conditions in an approval issued under EPA, OWRA or EAA.

January 27, 1982

4. Subjects Generally Not
Appropriate for MOE
Comments
(note exceptions)

- (a) policies on public participation, except where public consultation is required by an Act administered by MOE;
- (b) aesthetics, except where such things as standards or criteria for air and water quality, regulations on litter are concerned;
- (c) lot sizes except where sewage and water services are involved;
- (d) parks and recreational areas except where odour, noise, necessary services or urban drainage are involved;
- (e) schools and school sites except for servicing;
- (f) preservation of foodlands except as may be related to the Agricultural Code of Practice;
- (g) transportation facilities except as related to noise, vibration, air pollution, water pollution, and necessary services;
- (h) conformance to upper tier official plans or to the official plan in the case of an amendment;
- (i) population targets except as related to servicing and waste disposal including capacities;
- (j) social, cultural and economic matters such as housing mix and densities except where servicing is involved;
- (k) preservation of wildlife habitat, flora, fauna, fisheries, and environmentally sensitive areas except as may be related to air and water quality criteria or guidelines;
- (l) flood plains or hazard lands except where water quality and quantity or servicing are involved.

5. Style and Nature of Comments Except where the connection is obvious, for example on air or water quality or on servicing, comments should clearly indicate the relationship between the issue involved and the Ministry's mandate.

6. Requests for Extension of Time Limits Every effort shall be made to forward comments within the established time limit. When it is impossible to do so a request for more time shall be made, giving the reason.